

Tulare County Environmental Health Division
Corrective Action Status Report
April 15, 2007

Evaluation Date: **October 18, 2005**

State Evaluation Team

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- 1. Deficiency:** The CUPA has not inspected all businesses subject to the HMRRP, HW[G], and CalARP programs every three years.

CUPA Corrective Action:

Number of Facilities: July 1, 2006 through March 31, 2007

The CUPA increased the number of regulated businesses over the reporting year, which is reflected in the table below:

	NUMBER OF FACILITIES			INCREASE IN NUMBER OF FACILITIES
	9-24-06	1-14-07	4-3-07	
HAZARDOUS MATERIAL RELEASE RESPONSE PLANS	974	1007	1039	65
HAZARDOUS WASTE GENERATORS	529	551	551	22
UNDERGROUND STORAGE TANKS	269	266	264	-5
RISK MANAGEMENT PLANS	94 (48 RMP)	94 (48 RMP)	94 (48 RMP)	0

This increase in the number of facilities over the reporting year contributes to the shortfalls in the required number of Hazardous Material Release Response Plan and Hazardous Waste Generator routine inspections in the first three quarters of 2006/07 (see Chart 1).

Number of Routine Inspections: July 1, 2006 through March 31, 2007

Routine inspections for the period from July 1, 2006 through March 31, 2007 are presented below:

	NO. FACILITIES	REQUIRED ANNUAL INSPECTIONS	INSPECTIONS PERFORMED FIRST 3 QUARTERS	INSPECTIONS REQUIRED DURING NEXT QUARTER
HAZARDOUS MATERIAL RELEASE RESPONSE PLANS	1039	346	196	150
HAZARDOUS WASTE GENERATOR	551	184	95	89
UNDERGROUND STORAGE TANKS	264	264	203	61
RISK MANAGEMENT PLANS	48	16	4	7*

* To Complete All Required RMP Inspections within 3 Year Cycle

Less than 75% of the required annual business plan and hazardous waste generator inspections were conducted during the first three quarters of Fiscal Year 2006/07 as shown below:

	NO. FACILITIES	REQUIRED ANNUAL INSPECTIONS	INSPECTIONS REQUIRED PER QUARTER (STRAIGHT-LINE PROJECTION)	INSPECTIONS CONDUCTED PER QUARTER (AVERAGE)
HAZARDOUS MATERIAL RELEASE RESPONSE PLANS	1039	346	87	65
HAZARDOUS WASTE GENERATOR	551	184	46	32
UNDERGROUND STORAGE TANKS	264	264	66	68
RISK MANAGEMENT PLANS	48	16	4	4*

This inspection shortfall is partially due to the following factors:

1. Over this period, there has been an increase of 65 regulated business plan and 22 hazardous waste generator facilities.
2. One CUPA inspector left employment on October 25, 2006, and was replaced by a lateral transfer from the Generalist staff. The new CUPA inspector passed the UST Inspector Certification Exam in February 2007.
3. The CUPA performed a large number of activities reported under the category of "Other Inspections" on the Annual Summary Report. In particular, considerable resources were devoted to the underground storage tank (UST) program. The CUPA began observing all secondary containment testing in July 2006, due to irregularities with previous testing results.
4. Over this period, the CUPA began violation and enforcement tracking and logging of test results into the Envision® database. This process has required one inspector to devote considerable time to establishing new service codes and train the other inspectors. All inspectors are now logging violations, return to compliance, and enforcement data into the database, which is also requiring additional staff time.

Period January 1 through June 31, 2007 (Projection)

The CUPA believes that the impact of some of the above factors will decrease during the period of January 1 through June 31, 2007, as described below:

1. The CUPA projects the number of regulated business plan and hazardous waste generator facilities to remain relatively stable over the next six months. The CUPA is currently well ahead of the requirement to inspect the 48 facilities that have submitted Risk Management Plans (RMPs) every three years. However, last year the CUPA notified an additional 46 facilities which exceed the State Threshold Quantities of Regulated Substances. Review of submitted RMPs and initial inspection of these additional facilities will require a significant commitment of resources over the next two and a half years.
2. The CUPA is currently fully staffed with a complement of seven inspectors. The newest CUPA inspector has completed training and has begun conducting solo inspections.

An additional CUPA inspector may also be hired, depending on the availability of qualified candidates. Recruitment for Environmental Health Specialist I/II closed April 12, 2007. Only one candidate was certified as meeting the hiring qualifications. This candidate, along with possible lateral transfer of other inspectors within the Environmental Health Department, will be considered for the planned additional CUPA position.

3. Tracking of violation and enforcement and test results in the Envision® database is expected to result in an overall reduction of the time that inspectors are required to devote to these activities. An estimated 0.2 FTE inspector will be devoted to overseeing conversion of business plan hazardous material inventories to the Envision® database.

Summary and Conclusion

CUPA goals are to conduct annual UST inspections and triennial business plan and hazardous waste generator inspections. Additionally, facilities are inspected based on compliance history and potential hazard. The CUPA projects that these goals will be attained by the end of Fiscal Year 2006/07.